

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-2(c)
SCURA, WIGFIELD, HEYER & STEVENS, LLP
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Association

In Re:

Ralph P. Netta,

Debtor.

Case No.: 16-32702 (KCF)

Chapter 13

Judge: Hon. Michael B. Kaplan

Hearing Date: February 22, 2017 at
10:00 a.m.

OBJECTION TO CONFIRMATION

Westgate Square II Condominium Association (the “Association”), a secured creditor of Ralph P. Netta (the “Debtor”), and holds a valid security interest in the property located at 147 Linda Lane, Edison, New Jersey, hereby objects to the Debtor’s Chapter 13 Plan of Reorganization for the following reasons:

- a. The Debtor incorrectly classifies the Association claim’s in Schedule D of the Petition. The Association’s allowed claim is \$69,751.00. The secured portion is \$44,160.65 and the unsecured portion is \$25,590.35. See Proof of Claim 2-1. The Debtor should amend Schedule D to reflect the correct classification of the Association’s claim.
- b. The Association is opposed to the Debtor’s retention of the subject property unless the Debtor pays the Association’s lien and pre and post-petition condo association fees in

full.

- c. The Debtor's plan is infeasible, whereby the debtor has insufficient income to fully satisfy the Association's secured claim in the amount of \$44,160.65.

SCURA, WIGFIELD, HEYER & STEVENS, LLP

Dated: January 31, 2017

/s/ Guillermo J. Gonzalez, Esq.

Guillermo J. Gonzalez, Esq.

Counsel to Wildflower Village Condo Association